

# ISSUE BRIEF **08.10.18**

## **Civil vs. Religious Dilemmas in Pluralistic Society: Examples of Gender Politics from Kuwait**

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### **INTRODUCTION**

Since its independence in 1961, Kuwait has served as a unique example in the Gulf because it has a semi-parliamentary governing system, relatively free press, and vibrant civil society. This brief reflects on the question of pluralism and inclusion in Kuwait by examining two recent examples of gender politics: a Friday sermon aired and circulated to all mosques in Kuwait on March 23, 2018, and a billboard campaign with the slogan “My hijab [headscarf] makes my life beautiful” that was funded by the Ministry of Awqaf and Islamic Affairs.

I analyze the ramifications of both events and the government’s and public’s responses to them. In doing so, I also offer an overview of how far Kuwait has come in recent years with regard to integrating women in the socio-religious sphere. This entails an assessment of the impact of societal traditions and religion as they relate to women’s issues in Kuwaiti society.

As a reflection of Kuwait’s socio-religious diversity, the 1962 constitution embraced modernity and democracy while simultaneously adhering to Arab identity and Islamic teachings. Yet women’s socio-religious rights lagged significantly behind until recent years. In 2005, Kuwaiti women succeeded in amending the electoral law, thereby winning the right to vote and run for office. Despite securing women’s political rights via legislation, the issue remains a contested one. Conservatives still regard women’s status in socio-religious spheres

as private and sensitive. For them, women’s rights are subject to the law of God and family/tribal traditions. In this view, it is the family who determines the limitations of women’s socio-religious spheres. Thus, many Kuwaiti women still find themselves constrained by their families or male guardians (e.g., husbands, fathers, or brothers). The roots of this controversy date back to the constitutional debates of 1962.

In debates surrounding the 1962 constitution, a clear division was apparent between conservatives and liberals that remains to this day. Conservatives believe that democracy and Western ideals undermine Islamic sharia, which they consider the one and only source of legislation. Conversely, liberal voices and reformists endorse the foundations of a constitutional state and embrace representative democracy in which the people are the source of all powers. Both conservative and liberal factions are represented in the government and civil society, and they continue to struggle for a Kuwait that follows their partisan ideals. The following two cases explore the dynamics of this conflict as they relate to gender politics and pluralism in recent years.

### **THE FRIDAY SERMON: SUFOOR CONTROVERSY**

The Friday sermon, delivered on March 23, 2018, focused on the presumed risks and detrimental impact of atheism on youth and



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society. Friday sermons in Kuwait are unified and authorized by the Ministry of Awqaf and Islamic Affairs. Each week, all mosques across the country deliver the same sermon. The sermon on March 23 described women's freedom and spiritual/self-development courses as forms of "atheistic intellectual terrorism"<sup>1</sup> and asserted that such courses were subverting Kuwaiti society in violation of Islamic teachings.

The tone of the sermon was severely critical. It warned prayer-goers of the destructive consequences of women's freedom, claiming that it would "deprive [them] of [their] Islamic traditions," along with values such as chastity, virtue, timidity, and a conservative dress code (i.e., wearing the veil). The sermon argued that the demands of *sufoor* (uncovered women) for the freedom to choose their clothing amounted to blasphemy and indecency.<sup>2</sup>

The sermon sparked an immediate controversy in Kuwait, precisely along the conservative versus liberal lines set out above. The situation went viral, igniting a

tinderbox of opinion. Three days later, Karima Mohammad Karam, an ordinary Kuwaiti woman, took the initiative and protested outside the Ministry of Awqaf and Islamic Affairs, with a protest sign that stated:

*Because I am a sufoor woman and do not wear the veil, I denounce what came in the Friday sermon dated 23.03.2018, published on the website of the Ministry of Awqaf. The sermon linked indecency, immorality and the lack of female chastity and timidity to sufoor women; and stated that women who do not wear the veil are practicing the infidel's traditions. I consider this statement an insult to all women who decide not to wear the hijab. Therefore, I call on the Ministry of Awqaf to apologize.<sup>3</sup>*

Karam's sign concisely summarized the two conflicting viewpoints in Kuwait. Her stance represented liberal voices supporting Kuwait as a constitutional civil state, while the Friday sermon represented the conservative position, which considers women's freedom a violation of Islamic sharia.

The Women's Cultural and Social Society (WCSS)—established in 1963 and one of Kuwait's first civil society organizations to specialize in women's issues—responded similarly. It urged all NGOs and civil society representatives to sign a petition at a public event on April 16, 2018. At the rally, the WCSS was joined by lawmakers, academics, and activists, all of whom marked their objections to the sermon and its implications for women's rights. Protestors argued that Kuwait is a constitutional, democratic, and civil state, and that attacks on women's rights do not align with how the country defines itself.

The WCSS event urged the Ministry of Awqaf and Islamic Affairs to apologize to all women, adopt a much more moderate tone, and file charges against the officials responsible for drafting the sermon. The organization claimed that the sermon ran contrary to Article 30 of the Kuwaiti constitution, which guarantees personal liberty for all.<sup>4</sup> Moreover, to increase public awareness of women's rights, the WCSS launched two campaigns in Arabic across all social media outlets. The first

### IMAGE 1 — KARIMA KARAM PROTESTING OUTSIDE THE MINISTRY OF AWQAF AND ISLAMIC AFFAIRS



**SOURCE** "A Kuwaiti Woman protests against the Friday Sermon and Amadi Responds: We Did Not Accuse the Sufoor Women," *Al-Anba*, March 27, 2018, <https://bit.ly/2LWj3Q0>.

campaign asserted that *sufoor* is not an act of indecency and that women have the freedom to choose what they wear in public, including the veil. The second denounced any form of male guardianship over women,<sup>5</sup> reminding its audience that Kuwait is a civil state.

During this controversy, the government remained mostly silent. The only reaction came from officials at the Ministry of Awqaf and Islamic Affairs, who flatly (and inaccurately) rejected the idea that the sermon had been against *sufoor* women. Fahad Amadi, the undersecretary at the ministry, stated, “It is totally untrue that the Friday sermon would accuse unveiled women of indecency.” Amadi insisted that the sermon only concerned the dangers of atheism and was not about whether women should wear the hijab. He did, however, acknowledge the ministry’s desire for women to abide by sharia law, perform prayers, give alms (*zakat*), fast, undertake the *hajj* (pilgrimage), and adhere to the Islamic dress code.<sup>6</sup>

The fallout from the Friday sermon amply demonstrated the divisions in Kuwaiti society. Many conservative voices applauded both the sermon itself and the response of the ministry. These conservatives regarded it as the government’s responsibility to discipline all those who do not abide by Islamic teachings, including unveiled women. Their opponents, meanwhile, utilized platforms in the printed press, social media, and civil society to condemn both the sermon as well as the government for approving it.

The implications of this controversy run deeper than women’s freedom and the veil; they deal with the fundamental question of Kuwait’s identity, its socio-religious sphere, and who the key actors are on this issue (i.e., individuals, family, or the government). In this particular case, the Ministry of Awqaf and Islamic Affairs acted as if it was the guardian of Kuwaiti society, appearing to overstep its constitutional bounds in so doing. The Kuwaiti constitution embraces the Universal Declaration of Human Rights, and Kuwait ratified the Convention on the Elimination of All Forms of Discrimination against Women in September 1994. The

**IMAGE 2 — SIGNING THE PETITION AT THE WOMEN’S CULTURAL AND SOCIAL SOCIETY**



**SOURCE** Women’s Cultural and Social Society (@wcscs\_q8), “Qabas 16 April 2018,” Instagram photo, April 16, 2018, [https://www.instagram.com/p/BhpCub\\_HiZ/?utm\\_source=ig\\_web\\_copy\\_link](https://www.instagram.com/p/BhpCub_HiZ/?utm_source=ig_web_copy_link).

recent actions of the government, through the Ministry of Awqaf and Islamic Affairs, completely contradicted these precedents.

**MY HIJAB MAKES MY LIFE BEAUTIFUL**

Another recent incident involving gender politics in Kuwait included a hijab campaign that was adopted and approved by the Ministry of Awqaf and Islamic Affairs, the same department that authorized the Friday sermon. Some consider these two cases as part of an organized campaign by conservative voices at the ministry; others believe it to be a mere coincidence.

In early April 2018, the ministry sponsored a highly visible billboard campaign encouraging women to wear the hijab. Featuring a painting of a covered woman and the phrase “My hijab makes my

life beautiful,” the billboard was originally launched in the al-Jahra governorate, with a plan to expand the campaign to the remainder of Kuwait soon afterwards. The campaign sparked further controversy between conservatives and liberals. Those who considered Kuwait a constitutional and civil state were infuriated by what they viewed as another government-sponsored

attempt to violate the rights and freedom of women, while advocates of preserving Kuwait's Islamic identity at a time of growing calls for liberalism and secularism were delighted.

Safa al-Hashem, the only female representative in the Kuwaiti National Assembly, was among the campaign's sharpest critics. She described it as “strange and unacceptable in a civil country where the constitution guarantees personal freedom. [...] The country requires a campaign to strengthen national unity and dismiss all sorts of discrimination.”<sup>7</sup> Al-Hashem raised parliamentary questions to the Minister of Awqaf and Islamic Affairs, who sought further detail about the campaign's organizers, its sources of funding, and whether the ministry had conducted a feasibility study to determine the beneficiaries.

Yet another MP, Faisal Al-Kandari, was hugely supportive of the campaign. He reminded opponents that Kuwait is an Islamic state that expects people to respect Islamic traditions and culture, including wearing the hijab. Al-Kandari argued that the campaign embraced Islamic principles, particularly for the younger generation.<sup>8</sup>

Another social activist, Aroub al-Rifai, also spoke up in support: “As an Islamic country, Kuwait has a Ministry in charge of Awqaf and Islamic Affairs. It carries out its work and activities using public funds to promote Islamic values and practices, such as: (1) Prayers, by looking after the mosques; (2) Pilgrimage, by supervising *hajj* travel agents; (3) Advocating fasting, *zakat* and wearing the hijab through awareness campaigns; (4) Encouraging the recital and study of the Quran.” Al-Rifai finished her statement by posing a question to opponents: “Why are they agitated when the Ministry proceeds with its real work and responsibilities?”<sup>9</sup>

Overall, the hijab campaign received more public attention than the Friday sermon, and it once more divided Kuwaiti public opinion. Supporters were accused of backwardness; opponents, who believed in the freedom of choice for women to wear what they wish, were described as secularists and atheists. Moreover, the campaign again

**IMAGE 3 — BILLBOARD WITH THE SLOGAN “MY HIJAB MAKES MY LIFE BEAUTIFUL”**



**SOURCE** “My hijab makes my life beautiful: A billboard raises controversy in Kuwait,” *BBC Arabic*, April 13, 2018, <http://www.bbc.com/arabic/trending-43753837>.

politicized the status of women in a country whose laws do not discriminate between women wearing the veil or otherwise. The ministry appeared to overreach its legal and constitutional bounds and in doing so, underscored the continued confusion in Kuwait, a supposedly pluralistic society that combines Western and Islamic laws.

## REFLECTIONS AND IMPLICATIONS

The Friday sermon and the hijab campaign were not isolated incidents. They offer key insights into the present state of Kuwaiti political pluralism. In 2005, female suffrage was granted after more than four decades of struggle by women, with conservative voices in the Kuwaiti parliament rejecting it as late as August and November 1999.<sup>10</sup> Similarly, the 1996 gender segregation law (implemented at Kuwait University since May 2004) sparked nationwide controversy.

The problem, at its core, is not the difference of viewpoints between liberals and conservatives over public policy, which is absolutely normal in any pluralistic society. Instead, the problem is far more complex and deep rooted. The conflict between the state's religion and civil governing system emanates from Kuwait's 1962 constitution, and it continues to reverberate across the small emirate's politics and society. Article 2 of the constitution states, "The religion of the State is Islam, and Islamic Sharia shall be a main source of legislation." Yet Article 6 notes, "The system of Government in Kuwait shall be democratic, under which sovereignty resides in the people, the source of all powers. Sovereignty shall be exercised in the manner specified in this constitution."<sup>11</sup>

According to the records of the Constituent Council,<sup>12</sup> which had responsibility for drafting and ratifying Kuwait's first constitution, debates over the newly independent state's religion were the most intensive among the fully 32 sessions of the Council and 23 sessions of the Constitution Committee. From the start, conservative members stated their profound reservations, focusing their concerns on whether sharia would be stipulated as *a* or *the* main source of legislation. The former

## IMAGE 4 — ALRIFAI'S TWEET SUPPORTING THE HIJAB CAMPAIGN



**SOURCE** "My hijab makes my life beautiful: A billboard raises controversy in Kuwait," *BBC Arabic*, April 13, 2018, <http://www.bbc.com/arabic/trending-43753837>.

would grant legislators the flexibility of adopting other civil laws; the latter would restrict them to sharia only. Although the former was ultimately agreed upon and inserted into the fledgling constitution, conservative efforts to amend the sharia clause have continued ever since.

Both the Friday sermon and hijab campaign are merely the latest examples highlighting the profound contradictions between the civil and religious characteristics of the Kuwaiti political system. How can civil law successfully coexist alongside sharia in a supposed democracy? Are conservatives—who insist that Kuwait is a religious state, with sharia mandated by the constitution—in the right? Or are the liberals—who defend civic principles, reject any form of guardianship over women's rights, and point towards the articles in the constitution that state Kuwait is a democracy that guarantees personal freedom—right?

These questions, centered on the tensions between modernity and tradition, democracy and sharia, and politics and religion, continue to reverberate across Kuwaiti society. The two recent examples described in this brief confirm that neither the citizenry nor the government can fully determine the answers.

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More specifically, the answer to the key question of how Kuwait has evolved in recent years in terms of integrating women in socio-religious spheres is deeply dispiriting. That there are still so many ongoing challenges more than half a century after the constitution was ratified highlights Kuwait's continued lack of seriousness in taking real steps to fully integrate women into its socio-religious spheres. Both the Friday sermon and the hijab campaign amply demonstrate that far too many still treat women, both with and without the veil, as objects, not as partners, for much needed reform and change.

## ENDNOTES

1. To access the full March 23 sermon, see "Friday Sermon," Ministry of Awqaf and Islamic Affairs, March 23, 2018, <http://masajed.gov.kw/Content/DepartmentContent.aspx?ContentID=6213>.
2. "Friday Sermon."
3. "Karima Karam Protests against the Sermon of Sufoor Woman," *Al-Qabas News*, March 26, 2018, <https://alqabas.com/516884/>.
4. Women's Cultural and Social Society, press release, March 29, 2018, <http://wcss-kw.org/?p=1240>.
5. The concept of 'guardianship' in Islamic law involves legal responsibility and care over minors and women. However, the campaign launched by the WCSS used the term metaphorically to highlight that Kuwaiti society refuses all forms of control and guardianship, which conservatives seek to enforce through direct and indirect channels.
6. For more on the statements of Ministry of Awqaf and Islamic Affairs officials, see "A Kuwaiti Woman protests against the Friday Sermon and Amadi Responds: We Did Not Accuse the Sufoor Women," *Al-Anba*, March 27, 2018, <http://www.alanba.com.kw/ar/kuwait-news/821620/27-03-2018>.
7. "MP Al-Hashem Remarks on Hijab Triggers Controversy," *Kuwait Times*, April 12, 2018, <http://news.kuwaittimes.net/website/mp-al-hashem-remarks-on-hijab-triggers-controversy>.

8. For Safa al-Hashem's tweet and others, see "Hijab and Personal Freedom...A Parliamentary Dispute in Kuwait," *Al-Hurra*, April 11, 2018, <https://www.alhurra.com/a/kuwait-hijab-controversy/431416.html>.

9. Aroub al-Rifai set out her views on *Twitter*: Aroub al-Rifai (@AroubAlRifai), *Twitter*, April 12, 2018, <https://twitter.com/AroubAlRifai/status/984350754772267008>.

10. For more on women's suffrage in Kuwait, see Tahani AlTerkait, "The Constitutional and Conceptual Underpinnings of Kuwait's System of Government" (PhD diss., University of Durham, 2017), 180–182, <http://etheses.dur.ac.uk/12552/>.

11. The Constitution of the State of Kuwait, November 11, 1962, [http://d.kna.kw/sms/pdf/En\\_Dostoor.pdf](http://d.kna.kw/sms/pdf/En_Dostoor.pdf).

12. Records of the Constituent Council, 2014, <http://d.kna.kw/sms/pdf/mahadher1st.pdf>.

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